

Sec. 4. The provisions of G. S. 115-38 not inconsistent with the provisions of this Act shall hereafter apply to the nomination and election of the members of the Board of Education for Surry County.

Sec. 5. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1953.

H. B. 955

CHAPTER 781

AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON
AND RELATING TO CLAIMS AGAINST THE CITY OF WILSON.

The General Assembly of North Carolina do enact:

Section 1. Chapter 408 of the Private Laws of 1907, as amended, constituting the Charter of the City of Wilson, be, and the same is hereby, further amended by adding thereto a Section, which said Section shall read as follows:

"Sec. 53. No action for damages against the City of Wilson of any character whatsoever to either person or property shall be instituted against the said city unless within ninety (90) days after the happening or infliction of the injury complained of, the complainant, his attorney or personal representative shall have given notice to the Board of Commissioners of the City of Wilson of such injury, in writing, stating in such notice the date and place of happening or infliction of said injury, the manner of such infliction, the character of the injury and the amount of damages claimed therefor. In case of personal injury, if the person injured is hospitalized, the said claim provided by this Section may be filed within ninety (90) days of the death of said person, if death occurs, or within ninety (90) days after said person is discharged from the hospital. The records of the hospital as to the day of discharge of such person shall be conclusive as to said date. No suit or action shall be brought thereon within thirty (30) days from the time of the presentation of said claim or after the expiration of eighteen (18) months from the time of said cause of action accrued, and unless the claim is so presented within ninety (90) days after the cause of action accrued; and unless suit is instituted within eighteen (18) months after the cause of action accrued, any claim thereon shall be barred. Nothing herein contained shall affect or be applicable to claims or causes of action accruing before the passage of this Act nor shall the provisions of this Act be applicable to pending litigation."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1953.